



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

23-MR- 491 - V

ANDREW CLEMENTS a/k/a Tiger,

Defendant.

**NOTICE OF MOTION AND MOTION FOR STAY AND REVOCATION OF
MAGISTRATE JUDGE'S DETERMINATION ON DETENTION**

The United States of America by and through its attorney, Trini E. Ross, United States Attorney for the Western District of New York, and Louis A. Testani, Assistant United States Attorney, of counsel, pursuant to Title 18, United State Code, Section 3145(a)(1), hereby files a Motion with the United States District Court in the Western District of New York, the Honorable Lawrence J. Vilardo presiding, for an Order revoking the Decision and Order entered by Magistrate Judge Michael J. Roemer on November 7, 2023; and the government further moves for an Order staying said Order of the magistrate judge until such time as the Court can hear and determine the government's motion for review of the magistrate judge's determination on detention.


IN SUPPORT THEREOF, the government sets forth a memorandum, incorporated herein by reference.

WHEREFORE, it is respectfully requested that the Court (1) stay the order of the magistrate judge releasing the defendant until such time as the District Court can hear and determine this motion; and (2) revoke Magistrate Judge Michael J. Roemer's November 7, 2023, release order.

DATED: Buffalo, New York, November 8, 2023.

TRINI E. ROSS
United States Attorney

By:



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